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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE

Civil Action No. 18-cv-00327 DBH

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DAVID and AMY CARSON, et al.,

Plaintiffs

vs

ROBERT G. HASSON, JR., in his official  
Capacity as Commissioner of the Maine  
Department of Education,

Defendant

\*\*\*\*\*

DEPONENT: **JEFFREY BENJAMIN**

Taken before Joanne P. Alley, a Notary Public in and for  
the State of Maine, at the offices of the Maine Attorney  
General, Cross State Office Building, Sixth Floor,  
Sewall Street, Augusta, Maine, on December 17, 2018,  
beginning at 1:00 p.m., pursuant to notice given.

I N D E X

DEPONENT:

JEFFREY BENJAMIN

By Attorney Forster

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By Attorney Keller

None

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1 APPEARANCES:  
2 SARAH FORSTER, AAG  
3 CHRISTOPHER TAUB, AAG  
4 DEPARTMENT OF ATTORNEY GENERAL  
5 6 State House Station  
6 Augusta, ME 04333-0006  
7 207-626-8800  
8 sarah.forster@maine.gov  
9 christopher.taub@maine.gov  
10 Attorneys for Defendant

11 TIM KELLER, ESQ.  
12 INSTITUTE FOR JUSTICE  
13 398 S. Mill Avenue, Suite 301  
14 Tempe, AZ 85281  
15 480-557-8300  
16 tkeller@ij.org  
17 Attorney for Plaintiffs

18 ARIF PANJU, ESQ.  
19 INSTITUTE FOR JUSTICE  
20 816 Congress Avenue, Suite 960  
21 Austin, TX 78701  
22 512-480-5396  
23 apanju@ij.org

24 KIMBERLY Y. SMITH RIVERA  
25 NATIONAL CENTER FOR LIFE AND LIBERTY  
11803 104th Street  
Largo, FL 33773  
888-233-6255  
krivera@ncll.org

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(Deposition taken before Joanne P. Alley,  
Notary Public, at the offices of Maine Attorney General,  
Cross State Office Building, Sixth Floor, Sewall Street,  
Augusta, Maine, on December 17, 2018, beginning at 1:00  
p.m.)

(The deponent was administered the oath by  
the Notary Public.)

JEFFREY BENJAMIN, after having been duly  
sworn by the Notary Public, was deposed and testified as  
follows:

E X A M I N A T I O N

BY MS. FORSTER:

Q. Good afternoon.

A. Good afternoon.

Q. I'm Sarah Forster. I know we've spoken on the  
phone briefly and now we've finally met in person,  
and as you know, I'm an assistant attorney general  
and along with my colleague Chris Taub we represent  
the Commissioner of Education, Dr. Robert Hasson,  
in some litigation that's been brought by a number  
of families challenging a statute in Maine that  
involves who is and is not eligible for the payment  
or for the approval to receive public funds for the  
payment of tuition, and so today we're going to do  
what's hopefully not a very long deposition. Have

1 you ever been deposed before?

2 A. No, I have not.

3 Q. Okay. Well, your counsel probably told you but

4 just so we're clear on a few very basic rules, the

5 way a deposition works is I'm going to ask you some

6 questions and you'll give me some answers to the

7 best of your knowledge and ability, and the most

8 important person in the room will take down the

9 answers and that means a couple of things; one is

10 that you have to give an answer that's actually a

11 word. So um-hum doesn't work very well nor does

12 the roll of the eye or the nod of the head because

13 even though we know that in court those are very

14 dramatic gestures, they're not very helpful for a

15 cold transcript.

16 The second thing is, even though you're going

17 to know what I'm going to say before I finish

18 saying it and I'm probably going to know what your

19 answer is before you finish answering, we really

20 have to pause and take turns because remarkably a

21 transcript can't get two people talking at once.

22 A. Okay.

23 Q. This is probably not going to be a very long

24 deposition but if in any event you want a break,

25 need a timeout, it's not meant to be an endurance

1 test, just say the word and we will sort it out.

2 Anyway, do you have any questions for me about the

3 deposition before we start?

4 A. No, I don't.

5 Q. Okay.

6 MS. FORSTER: So let's start by if you would

7 mark this, please.

8 (Exhibit No. 12 marked for identification.)

9 BY MS. FORSTER:

10 Q. If you'd look at that, what's marked as Exhibit 12,

11 and I'd ask do you recognize it?

12 A. Yes, I do.

13 Q. All right. Could you turn to I believe it's the

14 fifth page, yes, where there's a list of things on

15 Exhibit A and I'm wondering if you could tell me

16 just for the record which of these numbers you are

17 responsible for being the designee for.

18 A. One, two, three, seven, eight, nine, ten.

19 Q. Okay, and if you could look one page further at

20 Exhibit B, do you recognize this list?

21 A. Yes, I do.

22 Q. And I want to thank you for getting all the

23 documents to us early, that was extremely helpful

24 in preparing and should probably make this a lot

25 shorter than if we were seeing stuff for the first

1 time during the deposition, and I just want to

2 check, is everything that your counsel has provided

3 to us everything that you intend to produce on this

4 list? There's nothing else that --

5 A. No, that's everything.

6 Q. Okay, all right, thank you. So Dr. Benjamin, where

7 did you go to school?

8 A. The University of New Brunswick.

9 Q. The University of New Brunswick and is that in

10 Canada?

11 A. Yes, Fredericton, New Brunswick.

12 Q. Did you go to high school in Canada also?

13 A. Yes.

14 Q. When did you first come to Maine?

15 A. 2006.

16 Q. And did you come for a job?

17 A. Yes, I did.

18 Q. What job was that?

19 A. Assistant professor at the University of Maine.

20 Q. What did you teach?

21 A. Forestry.

22 Q. Forestry. There was a former Commissioner of

23 Education who somehow became Commissioner of

24 Education after being an Assistant Commissioner of

25 Forestry, so there's an obvious connection there

1 that I'm just not getting. Anyway, what did you do

2 after you were a professor at the University of

3 Maine?

4 A. Well, I went through the ten-year process there for

5 six years, seven years.

6 Q. Um-hum.

7 A. And I became a full professor, associate professor,

8 and then in 2015, I took a position at Bangor

9 Christian Schools as head of school.

10 Q. You gave up a full tenured professorship?

11 A. Yes.

12 Q. Oh, my goodness, you are a brave man. So when you

13 came to Bangor Christian Schools, what position was

14 that?

15 A. Head of school.

16 Q. And you've been head of school ever since?

17 A. Yes.

18 Q. Could you just say briefly, what are the sort of

19 typical duties and important duties of head of

20 school?

21 A. I'm responsible for the budgets for sure, overall

22 hiring, the overall vision, direction of the school,

23 the international program.

24 Q. And who do you report to?

25 A. Senior pastor of the church, Dr. Jerry Mick, and the

1 Deacon Board.  
 2 Q. And is the senior pastor a member of the Deacon  
 3 Board?  
 4 A. No.  
 5 Q. Those are two separate entities?  
 6 A. (Nods).  
 7 Q. Do you have an employment agreement with somebody?  
 8 A. Yes, with Crosspoint Church.  
 9 Q. With Crosspoint Church, and is Crosspoint Church  
 10 also known by another name or formerly known as  
 11 something else?  
 12 A. Formerly Bangor Baptist Church.  
 13 Q. Okay. So Bangor Baptist Church became Crosspoint  
 14 Church?  
 15 A. Um-hum, yes.  
 16 Q. When did that happen?  
 17 A. A couple of years ago.  
 18 Q. And what type of church is Crosspoint Church? Is  
 19 it a particular denomination?  
 20 A. It's an independent Baptist Church.  
 21 Q. An independent Baptist Church. What's the  
 22 difference between an independent Baptist Church  
 23 and some other sort of Baptist Church?  
 24 A. Well, it's not part of a grouping of churches. It's  
 25 by itself so it's independent.

1 Q. Okay, and is that the same thing that it was when  
 2 it was Bangor Baptist Church?  
 3 A. Um-hum.  
 4 Q. Do you have a role with respect to Crosspoint  
 5 Church other than being head of school?  
 6 A. Yes. I'm actually also what they call a connections  
 7 pastor, just help new families get connected into the  
 8 church.  
 9 Q. And as a connections pastor, do you report to the  
 10 pastor -- lead pastor?  
 11 A. Um-hum.  
 12 Q. Okay. I almost said pastor in chief and then I  
 13 realized I had the wrong operation going here. Are  
 14 you a member of Crosspoint?  
 15 A. Yes, I am.  
 16 Q. You said the Deacon Board. Is that the highest  
 17 board of the church?  
 18 A. Yes.  
 19 Q. And who is on the Deacon Board?  
 20 A. Looking for the names?  
 21 Q. No, no, no, descriptively, who are the Deacon  
 22 Board?  
 23 A. They're men that are the leaders in the church.  
 24 Q. Okay.  
 25 A. Yup.

1 Q. Okay, and is there a different board that's  
 2 particularly interested in the school, Bangor  
 3 Christian Schools?  
 4 A. We have an Advisory Board for the school.  
 5 Q. Okay, and who is a member of the Advisory Board?  
 6 A. We have some parents, we have some former parents, we  
 7 have just some people that are committed to Christian  
 8 education as well.  
 9 Q. And I guess from its name, but would you confirm,  
 10 the Advisory Board doesn't have policymaking  
 11 authority with respect to the school?  
 12 A. Correct, they are there to advise the administration.  
 13 Q. And so policy decisions like curriculum decisions,  
 14 who would be responsible for making those?  
 15 A. That would be Mrs. Boone and myself.  
 16 Q. Okay, and if there was a dispute or someone was  
 17 unhappy about that, is there an appellate -- you  
 18 know, could they take a complaint to somebody else  
 19 or are you both the final say of that?  
 20 A. I suppose it could go as high as the Deacon Board but  
 21 I've never known that to happen.  
 22 Q. So one of the things that you said that you were  
 23 going to talk about or were designated to talk  
 24 about are the hiring and your faculty, and so what  
 25 criteria do you apply when you're looking for

1 teachers for Bangor Christian Schools?  
 2 A. Well, in our faculty manual it outlines it pretty  
 3 much step by step. Do you want me to read through  
 4 that or do you have a copy of that?  
 5 Q. I do have a copy of your faculty manual and we'll  
 6 get to that in a second, but I was just wondering  
 7 sort of if you could tell me what are the things  
 8 that you're looking for when you go to hire faculty  
 9 for the school?  
 10 A. Well, if I can take a look at the manual, I can step  
 11 you through each one. I mean, we're looking for --  
 12 we're looking for teachers.  
 13 Q. Yup.  
 14 A. We're looking for Born Again believers.  
 15 Q. Okay. Could you just help me, what is the  
 16 difference between a Born Again Christian and a  
 17 Christian? Is there a difference?  
 18 A. A Born Again Christian recognizes that they have  
 19 sinned, have not met God's standard, recognizes that  
 20 trusting in Jesus is the only way for them to be  
 21 saved from their sins and invites God and Jesus to  
 22 really lead their life and to direct them for the  
 23 rest of their life.  
 24 Q. And so those are sort of the requirements or the  
 25 criterion for one to say that you're a Born Again

1 Christian?

2 A. Um-hum.

3 Q. And then Christian I guess is a bigger term, right,

4 because that includes like Methodists and Catholics

5 and --

6 A. People can be Born Again believers in any

7 denomination.

8 Q. Okay. So Born Again underlies sort of all of the

9 possible Christian denominations?

10 A. Could you repeat that?

11 Q. The idea of being Born Again is a concept that

12 could underlie one or more of these Christian

13 denominations?

14 A. It could.

15 Q. It's not unique to --

16 A. It's actually a Biblical description. Jesus himself

17 said, you know, in order for you to be with me

18 forever, you need to be Born Again.

19 Q. Okay. One more question and then I promise I'll

20 try to keep these things straight. What is an

21 Evangelical Christian?

22 A. Evangelical Christian is one who would be Born Again,

23 would be saved, also feels a commitment to sharing

24 their faith with others.

25 Q. So is Crosspoint Church an Evangelical Christian

1 Church?

2 A. Yes.

3 Q. Okay, and is it a requirement that you be Born

4 Again to be a member of Crosspoint Church?

5 A. Through a statement of faith, yes.

6 Q. Okay. So in order to be a teacher at the church --

7 at the school, Bangor Christian School, you need to

8 be Born Again, Christian, Evangelical, all of those

9 three?

10 A. We don't describe it that way.

11 Q. Okay.

12 A. We say a Born Again believer, a statement of faith

13 that they have trusted Jesus with their life.

14 Q. Um-hum.

15 A. And then we have several different criteria for

16 teaching experience --

17 Q. Yup.

18 A. -- in their area of expertise.

19 Q. Right. Could a person --

20 A. Sorry.

21 Q. Go ahead.

22 A. They need to have a commitment to -- to developing a

23 Biblical world view with their students.

24 Q. Okay.

25 MS. FORSTER: Let's mark this next item as

1 number 13.

2 (Exhibit No. 13 marked for identification.)

3 BY MS. FORSTER:

4 Q. Do you recognize this item?

5 A. Yes, I do.

6 Q. What is this?

7 A. This is a sample of a teacher contract.

8 Q. So one thing I notice is that in a couple of places

9 here right on the front page it says in bold, "a

10 Christian role model" and that's underlined but

11 there's no description of what that is. What do

12 you mean by a Christian role model?

13 A. Well, if they're following this, they would be a

14 Christian role model.

15 Q. So if -- I'm looking at paragraph #3. Is that what

16 you're looking at too?

17 A. (Nods).

18 Q. And do you mean that they follow the Biblical

19 standards of conduct in the area of alcohol, drugs,

20 tobacco, public dances, gambling, et cetera? Is

21 that what you're talking about?

22 A. That would be part of it for sure, yes.

23 Q. And you talk about some very specific verses. I'm

24 not even going to try to -- Colossians?

25 A. Colossians, yes.

1 Q. Colossians and Titus and --

2 A. Thessalonians.

3 Q. -- Thessalonians, see, all that Latin and I can't

4 -- anyway, and so they know that that's where they

5 look to find whether or not they're a good

6 Christian role model?

7 A. Those are examples, yes.

8 Q. The next paragraph there talks about standards for

9 sexual behavior?

10 A. Um-hum.

11 Q. Am I correct that a person who is homosexual would

12 not be eligible for a teaching position?

13 A. Well, we have high Biblical standards for what we're

14 looking for in our teachers and our students so if

15 they are not able to live up to those standards, then

16 that would be --

17 Q. And one of those Biblical standards is that

18 homosexuality is not appropriate, is that fair?

19 A. Correct.

20 Q. Please know, I mean, to put this on the record,

21 these questions aren't in any way to judge or to

22 suggest that something is wrong or not wrong. I'm

23 just trying to obtain information.

24 A. Right.

25 Q. So please don't think any of this is to suggest

1 that any of these answers are right or wrong.  
2 A. And we follow what the Bible says and that's what we  
3 refer to for our standards of conduct for our  
4 faculty, for our leaders, for our students.  
5 Q. And when you say you follow what the Bible says, do  
6 you take the word of the Bible literally?  
7 A. Yes.  
8 Q. Sort of exactly as it says?  
9 A. Yes.  
10 Q. Okay. So what about a person who presents or who  
11 identifies as a gender that's different than that  
12 on his or her birth certificate, would that fit  
13 within this paragraph about being a Christian role  
14 model?  
15 A. Well, again, we would follow what the Bible says  
16 about sexuality or gender and ask that our faculty,  
17 our staff, follow.  
18 Q. And does the Bible say or suggest that a person is  
19 the gender that they're born as or that they're  
20 biologically?  
21 A. That is what the Bible says.  
22 Q. Okay. To the extent you know, do you know whether  
23 or not a nonsectarian school could discriminate or  
24 choose not to hire someone based on their being  
25 homosexual?

1 A. Could you repeat that?  
2 Q. Sure. Oh, yeah, that's another rule, by the way.  
3 If I say something that doesn't make sense, which  
4 happens, I don't know, Chris, what, approximately  
5 once every ten minutes, you should definitely ask  
6 instead of trying to answer. If you were not a  
7 sectarian school, if you were a nonsectarian  
8 school, do you know whether or not you would be  
9 allowed to say that an individual who's a  
10 homosexual can't be a teacher here?  
11 A. I haven't looked at those standards.  
12 Q. Okay. Would it be okay with you if in order to  
13 receive public funding you had to change the  
14 standard and hire individuals who were homosexual?  
15 A. Well, our position is that, you know, we're  
16 interested in this as a possibility as long as we  
17 don't have to change what we do.  
18 Q. So in other words, one of the conditions or one of  
19 the things that you would be considering is whether  
20 or not accepting tuition would allow you to  
21 continue to have these restrictions on who you  
22 hire?  
23 A. With everything -- if we're able to do everything  
24 that we're currently doing, then, you know, we would  
25 consider accepting the funds.

1 Q. Right, and I suppose conversely, if the State or if  
2 the law said to you, well, you can't continue to  
3 exclude groups of people based on homosexuality,  
4 presenting or identifying as a gender other than  
5 biology at birth, that would be a problem?  
6 MS. RIVERA: I'm going to object because I  
7 think that's somewhat mischaracterized but go ahead  
8 and answer if you understand the question.  
9 MS. FORSTER: You mean because of the 14  
10 different clauses in there?  
11 MS. RIVERA: A little confusing.  
12 BY MS. FORSTER:  
13 A. Yeah, I wouldn't mind you repeating the question.  
14 Q. As if I could. It's okay, we can move on. Another  
15 part of this contract, if you look at paragraph 13,  
16 it talks about the resolution of differences and it  
17 says underlined "always presenting a united front."  
18 What does that mean?  
19 A. Well, it means that we may not always agree on things  
20 but we're not going to go out in -- in the public or  
21 in -- in other parties and air our differences.  
22 Q. So I can't believe that you haven't considered  
23 whether or not the school might be a plaintiff in  
24 one of these lawsuits. Have you ever considered  
25 being a plaintiff as the school, not as you

1 personally?  
2 A. Not really.  
3 Q. If you look at paragraph 14, it talks about  
4 resolution of disputes and it says, "with each  
5 other in private or within the Christian  
6 community." Does this mean that you don't think  
7 people should resort to courts to resolve disputes?  
8 A. No, this is talking about -- this is a contract with  
9 a teacher in terms of, you know, working at the  
10 school. You're asking if we don't believe in the  
11 court system? I'm not clear.  
12 Q. Well, what I was thinking about is if an employee,  
13 someone who signs this contract, is unhappy with  
14 their condition, can they bring a complaint before  
15 the Maine Human Rights Commission?  
16 A. They would be allowed to for sure.  
17 Q. Okay, and they could bring a complaint in court if  
18 they felt that that was not resolved?  
19 A. Yeah.  
20 Q. Okay. So this language isn't meant to suggest to  
21 your employees that they're somehow limited in  
22 their rights to dispute resolution?  
23 A. No, it's just a hope that we can come to an  
24 agreement.  
25 Q. You want it to be worked out privately because

1 nobody wants to be a party to I would say this, but  
 2 you know what I mean. One other question, what  
 3 does it mean to say in paragraph 13 to "always give  
 4 a good report?"  
 5 A. It would mean being positive, look for the positive  
 6 in each situation.  
 7 Q. And so as part of an employment contract, to treat  
 8 their job as if they're always putting their best  
 9 face forward?  
 10 A. That's what I've done in my positions.  
 11 MS. FORSTER: Let's mark this.  
 12 (Exhibit No. 14 marked for identification.)  
 13 BY MS. FORSTER:  
 14 Q. I believe this is what you were talking about  
 15 before. If you could please turn to page on the  
 16 bottom, where apparently my secretary thinks Bangor  
 17 Christian Schools is BDS as opposed to BCS, 72.  
 18 Well, she got TA right this morning for Temple  
 19 Academy. When I asked you a few minutes ago about  
 20 the criteria for employment and you said, oh, it's  
 21 in our faculty manual, is this what you were  
 22 speaking about?  
 23 A. Yes, it is.  
 24 Q. Okay, and so I guess there's one more level of  
 25 thing that I need to understand, "a tithing member

1 of a Bible-believing church," what does that mean?  
 2 A. A Bible-believing church does not have to be a  
 3 Baptist church, it can be an independent church.  
 4 Q. Okay.  
 5 A. Those that take the Bible literally.  
 6 Q. Okay. So those were not Evangelical but Born  
 7 Again? No?  
 8 A. Well, you're talking about the church.  
 9 Q. Okay. The person is Born Again?  
 10 A. The person is Born Again.  
 11 Q. The church, a Bible-believing church?  
 12 A. Think of it as those churches whose leadership, the  
 13 pastors, accept the Bible as God's word as truth.  
 14 Q. Okay.  
 15 A. Literal interpretation and that's what is -- that's  
 16 what is preached.  
 17 Q. Okay. So that's a Bible-believing church?  
 18 A. Yes.  
 19 Q. And then a tithing member?  
 20 A. Giving, like an offering, so those that are active  
 21 and give to their church.  
 22 Q. Okay, got it. I think now we have all the terms  
 23 down, the difference between the churches and the  
 24 people, the people are Born Again, the church is a  
 25 Bible-believing church. On page 64, right at the

1 beginning, number one, says "that this is a full-  
 2 time Christian ministry." What does that mean?  
 3 The school, I assume, you're saying is a full-time  
 4 Christian ministry?  
 5 A. No.  
 6 Q. Oh, okay.  
 7 A. The vocation that they are called to is full-time and  
 8 they're -- the work they're doing is ministry.  
 9 Q. And what does it mean to say the work is ministry?  
 10 A. It's their calling, it's their vocation, they're  
 11 there to serve, minister to the students that are in  
 12 their influence.  
 13 Q. Okay, and this is the current version of your  
 14 faculty manual, correct?  
 15 A. Yes.  
 16 Q. And it's accurate as of today?  
 17 A. (Nods).  
 18 MS. RIVERA: You have to answer.  
 19 BY MS. FORSTER:  
 20 A. Oh, yes.  
 21 Q. Let's talk about students and the eligibility for  
 22 admission to Bangor Christian Schools.  
 23 A. Okay.  
 24 Q. Again, before we get to the actual student  
 25 handbook, what criteria are you looking for in

1 deciding whether or not a student is appropriate  
 2 for admission to your school?  
 3 A. Our mission is to assist families in educating the  
 4 whole child by encouraging spiritual maturity and  
 5 academic excellence in a supportive environment and  
 6 our final authority in all matters is the Bible.  
 7 That's our mission statement. So what we're looking  
 8 for is it works best for the student if the parents,  
 9 the church and the school are all on the same page  
 10 with those things.  
 11 Q. Okay.  
 12 A. And the student also wants to be at the school.  
 13 That's -- that's when it really works.  
 14 Q. Okay.  
 15 A. So those are the things that through our interview  
 16 process we try to determine in talking with the  
 17 families and talking with the students, if they want  
 18 what we can offer.  
 19 Q. Okay, and when you talk with the families who are  
 20 interested in applying, do you ask them, the  
 21 parents, about their religious beliefs?  
 22 A. Yes. We ask them where they go to church.  
 23 Q. Is it a requirement that they go to church?  
 24 A. No.  
 25 Q. Is it a requirement that they be Christian?



1 A. No. We -- I'm trying to think. We don't have any  
 2 that are not -- they don't profess to believe but we  
 3 have some that don't go to church for one reason or  
 4 another, but as long as we're on the same page of  
 5 what they're going to be learning in the school and  
 6 the students want to be there.  
 7 Q. So you haven't had the experience of a family that  
 8 is Jewish or is Muslim coming to you and interested  
 9 in enrolling a child in the school?  
 10 A. No, we have.  
 11 Q. And how -- how have you discussed whether or not  
 12 that was appropriate?  
 13 A. Well, we tell them what they're going to be learning  
 14 and we talk about our goal of developing a Biblical  
 15 world view for their son or daughter and sometimes it  
 16 doesn't work, they say no, that's not what we want,  
 17 and sometimes they say yes and then we go ahead.  
 18 Q. Oh, I thought you said that you didn't have any  
 19 students that weren't Christian in the school. You  
 20 have in the past?  
 21 A. You said were there families.  
 22 Q. Oh, oh, oh. So do you have students who aren't  
 23 Christian?  
 24 A. Well, when you get back to what a -- whether someone  
 25 is saved or not, we don't know whether someone is.

1 That's between them and God.  
 2 Q. Okay.  
 3 A. So for me to say whether we have -- we have 300  
 4 students, whether all 300 are saved and Born Again  
 5 believers, it's impossible for me to say.  
 6 Q. Because that's not something you would discuss?  
 7 A. Not in the admissions, you know, component, no, but  
 8 we let them know what we believe, what we do, why we  
 9 do it, and there's lots of reasons for families to  
 10 want to come to the school.  
 11 Q. Okay. What are some of those?  
 12 A. Well, the main one is so their child can develop a  
 13 Biblical world view.  
 14 Q. Okay.  
 15 A. But we also have strong academics, you know, the  
 16 environment is different at our school than other  
 17 schools so that could be reasons why families would  
 18 like to, and as I said, we sit down and look at all  
 19 four points that I described and assess whether it's  
 20 a good fit for the family, for the student and for  
 21 us.  
 22 Q. So when you're having that discussion, if it  
 23 appears that it's perhaps not a good fit, do you  
 24 discourage them from applying or do they apply and  
 25 then there's someone who reviews the applications

1 and decides this is not a good idea?  
 2 A. We've done both of those.  
 3 Q. Okay. Let's see, I'm looking for -- this is what  
 4 happens when I number things. I guess I'll catch  
 5 up with it somewhere else. This may be a big jump  
 6 ahead because I know you aren't designated to talk  
 7 about curriculum, but let's mark this next.  
 8 (Exhibit No. 15 marked for identification.)  
 9 BY MS. FORSTER:  
 10 Q. Is that familiar? Do you recognize this?  
 11 A. Yes, I do.  
 12 Q. Okay. On page 19 is where I'm looking about  
 13 admissions and the second paragraph.  
 14 A. 19 on your numbers or my numbers?  
 15 Q. Oh, sorry, 19 on my numbers.  
 16 A. Yes.  
 17 Q. "Any family who, despite their religious background  
 18 or beliefs, is willing to support our philosophy of  
 19 Christian education," et cetera, et cetera. So if  
 20 a family is a devout believer of another faith,  
 21 would it be possible for them to agree to this; in  
 22 other words, how could someone who is doctrinally  
 23 and otherwise faithful to the Jewish faith agree to  
 24 something like this statement? Is that a real  
 25 possibility?

1 A. I can't answer that for them.  
 2 Q. It just seems -- well, maybe turning the script  
 3 would make more sense. You've told me about what  
 4 your schools' views are. If you were to be asked  
 5 as a condition of enrolling your child and by  
 6 "your," I mean a child whose family espouses the  
 7 beliefs consistent with the doctrinal beliefs of  
 8 Bangor Christian Schools in another school and they  
 9 had this same sort of statement that said  
 10 regardless of your religion, you have to espouse  
 11 our beliefs?  
 12 MS. RIVERA: I'm going to object to the  
 13 question. You can answer if you know the answer.  
 14 BY MS. FORSTER:  
 15 A. I'm not really sure what you're asking, so maybe  
 16 rephrase or say it again. I'm not following the  
 17 path.  
 18 Q. Sure. What I'm trying to ask, and this is such a  
 19 hard question, Chris and I were talking about how  
 20 you would ask this question, but it seems possible  
 21 that one of the things or requirements of one's  
 22 faith is a level of belief that would make it  
 23 impossible to agree to another faith's beliefs for  
 24 purposes of attending school. Does that sound at  
 25 all rational?

1 MS. RIVERA: I'm going to object. I think  
 2 it calls for speculation. You can answer if you  
 3 know.  
 4 BY MS. FORSTER:  
 5 A. I don't know.  
 6 Q. Okay, because this suggests that you would accept  
 7 someone from any religious background, any  
 8 religious faith, so long as they were willing to  
 9 support your philosophy of Christian education,  
 10 conduct, et cetera, et cetera?  
 11 MS. RIVERA: Are you asking him if that's  
 12 the case?  
 13 MS. FORSTER: Yes.  
 14 BY MS. FORSTER:  
 15 Q. Is that the case?  
 16 A. Yes, we will do that.  
 17 Q. Okay. So what would happen if the child who came  
 18 to you was outwardly homosexual and the family who  
 19 came to you, they were all aware that their child  
 20 was homosexual?  
 21 A. Well, as I said before, we abide by Biblical  
 22 standards and if the families are not -- if the  
 23 families and students are not willing to support  
 24 that, then we're not a good fit.  
 25 Q. So the mere fact that the student is homosexual

1 would mean they wouldn't be a good fit for the  
 2 program, for the school?  
 3 A. Well, they wouldn't be able to sign our -- our, you  
 4 know, agreement that we have in the handbook if  
 5 that's how they felt.  
 6 Q. Okay.  
 7 A. So they would -- they would not -- I don't know how  
 8 they could sign that.  
 9 Q. Okay, and would the same be true if the child was  
 10 identifying or presenting themselves as a gender  
 11 that was not their biological gender at birth?  
 12 A. I'd answer it the same way. We have firm Biblical  
 13 standards and we expect our students and staff and  
 14 leaders to follow that and if they can't, then we're  
 15 not the school for them.  
 16 Q. Do you admit students with disabilities?  
 17 A. Can you expand on that?  
 18 Q. Well, okay, very simply, do you admit students who  
 19 have individualized education programs --  
 20 A. Yes.  
 21 Q. -- under IDEA, and for those students, do you offer  
 22 to provide them with special education and related  
 23 services?  
 24 A. We have what's called 504 plans.  
 25 Q. Okay, and I'm going to guess the reason you have

1 504 plans, do you take federal funds?  
 2 A. We do not receive federal funds.  
 3 Q. You do not receive federal funds?  
 4 A. We don't receive money for that. We have services  
 5 that are provided through Title I and Title II.  
 6 Q. So you have Title I and Title II services at your  
 7 school?  
 8 A. Yes, but it's through the Bangor School Department.  
 9 Q. Right.  
 10 A. We don't receive the money.  
 11 Q. So as an entity that doesn't receive any federal  
 12 funds, do you have to provide 504 services?  
 13 A. We don't have to.  
 14 Q. But you choose to?  
 15 A. Yes.  
 16 Q. Okay, and do you make the referrals for Title  
 17 services? Are you involved in the identification  
 18 and evaluation of what students would need Title  
 19 services?  
 20 A. Mrs. Boone is the one that should be answering those  
 21 questions.  
 22 Q. Okay, perfectly legitimate answer. I just didn't  
 23 know whether or not you made -- do you make that  
 24 sort of inquiry at the time of admission or is that  
 25 something that happens once you -- she would know?

1 A. That's the answer. Ask her, yeah.  
 2 Q. Okay. Well, you said that you did finances, right?  
 3 A. Um-hum.  
 4 Q. Okay. So I'm safe if I talk to you about financial  
 5 aid?  
 6 A. Yes.  
 7 Q. Excellent. So I guess the first question I have  
 8 is, is Bangor Christian Schools a separate entity  
 9 from Crosspoint Church financially?  
 10 A. We're a separate 501(c)(3), yes.  
 11 Q. Okay, and what are the sources of funding for the  
 12 school?  
 13 A. Tuition revenue.  
 14 Q. Okay.  
 15 A. And fundraising efforts.  
 16 Q. Um-hum.  
 17 A. We have some fees associated with sports programs,  
 18 things of that nature.  
 19 Q. Okay.  
 20 A. Those are the bulk of it.  
 21 Q. And what determines or who determines how much  
 22 tuition is?  
 23 A. I put forward a proposal each year and the budget  
 24 gets approved by the Deacon Board and I take advice  
 25 from Advisory Board.



1 Q. But the final say as to what tuition is, is the  
2 Deacon Board?  
3 A. Yeah, they approve the budget.  
4 Q. Okay. Do students receive a discount on tuition if  
5 they're a member or members of Crosspoint Church?  
6 A. No.  
7 Q. Does the school offer any merit-based scholarships  
8 sort of regardless of need?  
9 A. There is one small scholarship each year that is  
10 based on that, yes.  
11 Q. And what is that?  
12 A. The name of the scholarship?  
13 Q. It has a name?  
14 A. Or the amount of money? I'm not sure what you're  
15 asking.  
16 Q. Could you describe the scholarship that's merit  
17 based as opposed to financial aid?  
18 A. Sure. A rising senior has the opportunity to receive  
19 somewhere between -- it's around \$500 -- \$500 to \$800  
20 from a named scholarship from years before.  
21 Q. And does that go to the highest-ranking rising  
22 senior?  
23 A. No, they apply based on -- and the financial aid  
24 committee reviews their application.  
25 Q. And the school also offers need-based financial

1 aid, yes?  
2 A. That's the bulk of what the financial aid is.  
3 Q. Okay.  
4 (Exhibit No. 16 marked for identification.)  
5 BY MS. FORSTER:  
6 Q. Take a look at this. Do you recognize this  
7 document?  
8 A. Yes, I do.  
9 Q. Okay. Does the student need to be a member of a  
10 church in order to apply for financial aid?  
11 A. No.  
12 Q. So on page -- well, my number is 56, the second  
13 page of the document, that church information  
14 section, you can N/A or skip that and still be  
15 eligible?  
16 A. Um-hum.  
17 Q. And approximately how many students receive  
18 financial aid or what percentage of the students,  
19 if that's easier?  
20 A. Probably through this process, probably 15, maybe 20.  
21 Q. Percent of the students?  
22 A. No, students.  
23 Q. Oh.  
24 A. You asked how many students.  
25 Q. Yes. So how many students in total attend the

1 school?  
2 A. A round number is 300. This year we're at 293 I  
3 think right now.  
4 Q. And what grades is that?  
5 A. K/4 all the way to twelfth grade.  
6 Q. Okay, so K to 12 is 300 students?  
7 A. (Nods).  
8 Q. Of whom 15 to 20 receive financial aid?  
9 A. Yes, through this process.  
10 Q. So there's this process. There's one student who  
11 receives the merit scholarship?  
12 A. Right.  
13 Q. What other processes are there for financial aid?  
14 A. Well, the other piece that I was running through my  
15 head, we have staff discounts which is all the  
16 same -- you know, it's still financial aid.  
17 Q. Yup.  
18 A. So the staff discount would add more families to that  
19 if that's what you're looking for, but in terms of  
20 this strict application process, it's probably about  
21 20 students.  
22 Q. Okay, and then individuals' who work at the schools  
23 children attend for a discounted rate?  
24 A. Yes.  
25 Q. I understand.

1 A. Oh, the multi kid discount too I suppose, yeah.  
2 Q. Okay. I flashed in my mind the multi policy  
3 discount for insurance.  
4 A. Well, it's kind of like that but there's not a --  
5 there's not a financial aid, you know, package for  
6 that so we have those discounts too.  
7 Q. Okay. So if you have more than one child attending  
8 the school there's a discount?  
9 A. If you have more than two there's a discount.  
10 Q. More than two, okay. That starts talking about big  
11 families. Is one of your responsibilities also to  
12 manage or oversee the NEASC accreditation process?  
13 A. Yes.  
14 Q. And when was the last time you went through  
15 accreditation review?  
16 A. We're in the middle of our self study right now.  
17 Q. And is the self study the year before?  
18 A. Yes.  
19 Q. I've heard of this before. So that must mean that  
20 you were last accredited in '09?  
21 A. Yes, before I got there.  
22 Q. When you apply for accreditation, do you supply  
23 information about your curriculum to the NEASC  
24 people?  
25 A. Yes, that's one of the standards.

1 Q. And when they review the curriculum, are they  
 2 reviewing it to see whether or not it's consistent  
 3 with the standards of the state that the school is  
 4 located in or do they have another standard?  
 5 A. I can't answer that.  
 6 Q. Okay. When was the first time you heard that there  
 7 might be a lawsuit challenging this tuition  
 8 statute?  
 9 A. It was last spring I think.  
 10 Q. And how did you find out?  
 11 A. Mr. Keller and I think there was another -- another  
 12 lawyer involved mentioned that they were looking for  
 13 some families to join a lawsuit for that.  
 14 Q. And did you speak to them on the phone, in writing?  
 15 A. Speak to who?  
 16 Q. Attorney Keller or the other individual that you  
 17 thought --  
 18 A. E-mail was first.  
 19 Q. Okay.  
 20 A. And we met in person. I don't have the date on when  
 21 that was.  
 22 Q. And as the -- as the result of that meeting, did  
 23 you make a decision about whether or not to assist  
 24 in identifying potential families?  
 25 A. What I agreed to do was e-mail our families

1 information that they were putting forward.  
 2 Q. So I'm going to show you something that's already  
 3 been marked as Exhibit 2 from a prior deposition.  
 4 A. Um-hum.  
 5 Q. Is that the e-mail that you're talking about?  
 6 MS. RIVERA: Can I see it?  
 7 BY MS. FORSTER:  
 8 A. Yeah, that's the one in May, so springtime.  
 9 Q. Other than sending that e-mail, did you do anything  
 10 else to assist either Attorney Keller or anyone  
 11 else in identifying plaintiffs?  
 12 A. Not that I recall.  
 13 Q. Did the Carsons speak with you about whether or not  
 14 they should become plaintiffs?  
 15 A. No, he just sent me an e-mail to say you can give Mr.  
 16 Keller my information, so I just passed that along  
 17 through e-mail.  
 18 Q. And what about the Gillises, did you have any  
 19 conversations with the Gillises?  
 20 A. No, I don't think they had replied to me. I think  
 21 they must have contacted the lawyers directly, and --  
 22 no.  
 23 Q. And how did you feel representing the school about  
 24 having the Carsons and the Gillises be plaintiffs?  
 25 MS. RIVERA: I'm going to object. I think

1 WE'RE getting beyond the scope of the deposition here  
 2 asking him about how he felt about it.  
 3 BY MS. FORSTER:  
 4 Q. How does Bangor Christian Schools feel about having  
 5 the Carsons and the Gillises be plaintiffs in this  
 6 case?  
 7 A. Well, it's -- I don't know, it's not really for us to  
 8 say. This is their -- this is their decision to go  
 9 forward and challenge the law.  
 10 Q. Are you aware that in the complaint the plaintiffs  
 11 assert that Bangor Christian Schools would be  
 12 interested in receiving tuition funds?  
 13 A. Yes.  
 14 Q. And is that an accurate statement?  
 15 A. As long as we don't -- our position has been as long  
 16 as we don't have to change anything we're doing, we  
 17 would consider it.  
 18 Q. So you would have to look at what the actual  
 19 requirements for receipt of tuition would be?  
 20 A. Sure.  
 21 (Exhibit No. 17 marked for identification.)  
 22 BY MS. FORSTER:  
 23 Q. Showing you a chain of e-mails.  
 24 A. Um-hum.  
 25 Q. If you could take a look at those and see if you

1 remember this exchange.  
 2 A. Yes.  
 3 Q. And what was -- why did you reach out to Ms.  
 4 Ford-Taylor?  
 5 A. When I took over as head of school, my predecessor  
 6 stepped me through the process of what he had to do  
 7 each year to be approved --  
 8 Q. Okay.  
 9 A. -- and there was a checklist and I had to gather a  
 10 bunch of documents and mail it down to Augusta and  
 11 within a week we got a certificate in the mail. I  
 12 did it, you know, it took about a week over the  
 13 summer and I did that the first year and second year  
 14 and then I think it was 2017 the process changed.  
 15 Q. Okay.  
 16 A. And a lot more information was needed. All of a  
 17 sudden our -- our staff needed to go through a  
 18 fingerprinting process and the State was talking  
 19 about every teacher has to be certified and we didn't  
 20 really understand where that was coming from.  
 21 Q. Okay.  
 22 A. So we -- we did that, we went through the  
 23 fingerprinting exercise, the State then said for this  
 24 year you don't have to worry about the certification  
 25 requirements, and so we just kind of went into a

1 holding pattern with it. We were certified -- sorry  
 2 -- we were approved that year and that's when the  
 3 next year leading up to that summer I said, okay,  
 4 we've got to figure out what do we have to do, what  
 5 are we not going to do, and so I began asking some  
 6 basic questions with Ms. Taylor -- Ms. Ford-Taylor  
 7 about the two different levels of I guess I'll call  
 8 it approval and that's where that came from. We were  
 9 trying to decide, do we stick with the full approval  
 10 process, are we going to have to have all the  
 11 teachers certified or is our NEASC accreditation  
 12 enough along with the equivalent instructions.  
 13 Q. Sure, and what did you ultimately decide the right  
 14 decision was for your school?  
 15 A. To be an approved school.  
 16 Q. And was that because you learned that as a NEASC  
 17 accredited institution, you didn't need to have  
 18 full certification for all of your staff?  
 19 A. Yeah, that was a big part of it.  
 20 Q. And have -- you may not know this but has Bangor  
 21 Christian Schools also been approved as opposed to  
 22 recognized?  
 23 A. I don't know.  
 24 Q. Okay.  
 25 (Exhibit No. 18 marked for identification.)

1 BY MS. FORSTER:  
 2 Q. I just want to make sure, if you'd look at the  
 3 second page which is BDS 5, the student and parent  
 4 statement of corporation?  
 5 A. Um-hum.  
 6 Q. Is that what you were referring to when you said  
 7 that they wouldn't be able to sign -- you said --  
 8 I'm not doing this very well. You said awhile ago  
 9 that the student needed to be able to sign a  
 10 statement agreeing or understanding what the  
 11 school's beliefs were. Is this what you were  
 12 referring to that they would struggle to sign?  
 13 A. This is the statement that they need to sign to say  
 14 that they understand what is in our handbook.  
 15 Q. Okay.  
 16 A. Understand what we are doing as a school.  
 17 Q. Is there another statement that you might have been  
 18 referring to?  
 19 A. I don't know. If there a way to reread what we said  
 20 here because I'm not --  
 21 Q. I'm just -- I'm looking at the last page of  
 22 Exhibit -- which is the student handbook, the  
 23 exhibit sticker?  
 24 A. These are the same.  
 25 Q. Okay.

1 A. These are the same. Now I understand.  
 2 Q. Okay. If you look in pretty much the middle of  
 3 that paragraph, there's a statement in there, "we  
 4 understand that the school may request withdrawal  
 5 at any time if in the opinion of the school the  
 6 student does not fit into the spirit of the  
 7 institution regardless of whether or not he/she  
 8 conforms to the specific rules and regulations."  
 9 Could you explain or give an example of what that  
 10 might be?  
 11 A. Well, we're a pretty small school and if I give  
 12 examples of this, my understanding is this at some  
 13 point could be public record. It's going to be very  
 14 easy for --  
 15 Q. Could you give a hypothetical example? What could  
 16 someone do that wasn't a violation of a rule or  
 17 regulation but would still give you concern enough  
 18 to suggest they withdraw from the school?  
 19 A. It could be something they're not -- hum,  
 20 hypotheticals are always hard.  
 21 Q. I mean, I certainly don't want to violate any of  
 22 your students' privacy, they have nothing to do  
 23 with any of this, but I'm just trying to figure  
 24 out, I mean, generally speaking you judge whether  
 25 or not someone gets to stay based on do they comply

1 with the rules. It strikes me there's something  
 2 else you're getting at here.  
 3 A. Hum, no, there's nothing different that we're getting  
 4 at in there. I'm trying to come up with a -- an  
 5 example that would not -- would not violate a  
 6 student's privacy and I cannot.  
 7 Q. Okay.  
 8 MS. FORSTER: So I think this is all that I  
 9 have for this witness. Do you want to ask  
 10 questions --  
 11 MR. TAUB: Why don't we take a break first.  
 12 MS. FORSTER: Okay.  
 13 (OFF RECORD FROM 2:02 TO 2:07)  
 14 BY MS. FORSTER:  
 15 Q. Just a couple more questions.  
 16 A. I thought I was off.  
 17 Q. I know you were so hoping but it's going to be  
 18 quick. Way back at the beginning when you talked  
 19 about the Church Board of Deacons, you said the men  
 20 on the Church Board of Deacons. Are there any  
 21 women on the Church Board of Deacons?  
 22 A. No, there are not.  
 23 Q. Could there be?  
 24 A. No, there cannot.  
 25 Q. And why is that?

1 A. You'll have to ask the leadership of the church I  
 2 guess. It's not a Biblical principle for women to  
 3 lead the church.  
 4 Q. I see. We spent a lot of time talking about either  
 5 homosexual or transgender potential employees, and  
 6 I just want to be clear, an individual who  
 7 identifies as being homosexual or as being  
 8 transgender, the gender that is not on his or her  
 9 birth certificate, would they be eligible for a  
 10 teaching position?  
 11 A. I'll just repeat the same thing that I said. We have  
 12 firm Biblical standards associated with the conduct  
 13 of our teachers, staff, students and if they're not  
 14 able to do that, then we're not a good fit for  
 15 them --  
 16 Q. So no?  
 17 A. -- for employment or for education.  
 18 Q. Why isn't that just no?  
 19 MS. RIVERA: Objection. If you need further  
 20 explanation, you can explain.  
 21 BY MS. FORSTER:  
 22 Q. Assume that you could be eligible for tuition  
 23 purposes without changing anything, okay, just as  
 24 you are right now you could be eligible, would you  
 25 agree to take tuition?

1 A. Yeah, I think I've answered that question. All  
 2 things being equal, that is something that we would  
 3 consider.  
 4 Q. You would consider it?  
 5 A. Well, I can't make that decision today in front of  
 6 you. I have a board that I go through, the deacons  
 7 would vote on it and so I would put it forward.  
 8 Q. Um-hum. You would tell them you don't have to  
 9 change anything.  
 10 A. I would say we don't have to change anything, this is  
 11 an opportunity we have, but I can't begin to predict  
 12 right now what everybody is going to do in a vote.  
 13 Q. Can you think of something else they might consider  
 14 in making that decision?  
 15 MS. RIVERA: Objection. Speculation.  
 16 BY MS. FORSTER:  
 17 A. I don't know.  
 18 Q. If we're telling you, the State, you don't have to  
 19 change anything about what you're doing --  
 20 A. Um-hum.  
 21 Q. -- what would be the basis to still say no?  
 22 MS. RIVERA: Objection. You can answer if  
 23 you know.  
 24 BY MS. FORSTER:  
 25 A. I can't answer because I don't know what they would

1 have for reasons.  
 2 Q. If you had a family come to you and they said to  
 3 you, we think that you have the right environment  
 4 for our child, the academic environment, the  
 5 spiritual environment, but we don't believe in God,  
 6 is that something that would concern you in making  
 7 an admission decision?  
 8 A. Well, the answer to every question that we ask in  
 9 those interviews is concerning. We take it into --  
 10 under advisement, and so to answer that, yes, that  
 11 would be.  
 12 Q. And they say to you, we can sign your statement but  
 13 just know we don't believe, is that --  
 14 A. Is there a question there? I'm sorry.  
 15 Q. Yeah, is that an acceptable answer or would you  
 16 probe more as to even if they think they can sign  
 17 your statement, it still might really not be a good  
 18 fit?  
 19 A. Would you repeat that?  
 20 Q. Assuming that they tell you very honestly that they  
 21 don't believe in God but they say we will sign your  
 22 statement agreeing to behave and to conduct  
 23 ourselves in accordance with your school, does the  
 24 mere fact that they are still saying, you know, we  
 25 are telling you right out we don't believe in God,

1 is that a problem from an admissions perspective?  
 2 A. Is it a problem?  
 3 Q. Yes. Is that something that would give you either  
 4 a negative inference or cause you concern about  
 5 admission?  
 6 A. Well, it would cause us to have more questions and  
 7 have longer -- maybe a longer discussion. We meet  
 8 with families for anywhere from 45 minutes to an hour  
 9 and a half or more.  
 10 Q. Longer than that deposition?  
 11 A. Yes.  
 12 MR. TAUB: Although it doesn't feel that  
 13 way.  
 14 THE WITNESS: It doesn't feel that way and  
 15 it's a little easier questions.  
 16 (LAUGHTER)  
 17 BY MS. FORSTER:  
 18 A. But for one question, yeah, we're a Christian school  
 19 and if they're not -- if they don't -- if they come  
 20 into it not believing the Bible, then we've got to  
 21 find out, well, why are you here, why do you want to  
 22 come to the school and it doesn't exclude them but  
 23 your question was does it give us some concern, yes.  
 24 We would ask more questions and find out what they're  
 25 looking for but it doesn't exclude them.

1 MS. FORSTER: All right. Do you have any  
2 questions?

3 MR. KELLER: I do not.

4 MS. FORSTER: All right. Thank you very  
5 much.

6 MS. RIVERA: We'll read his deposition.

7 (Whereupon, the above-named deposition was  
8 concluded at 2:13 p.m.)

9 (The deponent does not waive reading and  
10 signing.)  
11  
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5 January 14, 2018  
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7 Dr. Jeffrey Benjamin  
8 c/o Kimberly Y. Smith Rivera, Esq.  
9 11803 104th Street.  
10 Largo, FL 33773  
11

12 RE: Carson, et al. v Robert G. Hasson  
13

14 Enclosed please find a copy of your deposition taken in  
15 the above-mentioned action. Also enclosed is the  
16 original signature page and a sheet for corrections.  
17 Please read the copy of the deposition and sign the  
18 original signature page before a Notary Public. If  
19 there are any corrections you wish to make, they should  
20 be made on the enclosed correction sheet. Do not mark  
21 on the deposition.  
22 Please return the signed original signature page and  
23 correction sheet to Alley & Morrisette at the above  
24 address within 30 days.  
25 Thank you.

1 CERTIFICATE

2 I, Joanne P. Alley, a Notary Public in and for  
3 the State of Maine, hereby certify that on the 17th day  
4 of December, 2018, personally appeared before me the  
5 within-named deponent who was sworn to testify to the  
6 truth, the whole truth, and nothing but the truth in the  
7 aforementioned cause of action and that the foregoing is  
8 a true and accurate record as taken by me by means of  
9 computer-aided machine shorthand.  
10

11 I further certify that I am a disinterested  
12 person in the event or outcome of the aforementioned  
13 cause of action.  
14

15 IN WITNESS WHEREOF, I have hereunto set my hand  
16 this 11th day of January, 2018.  
17

18 \_\_\_\_\_  
19 Joanne P. Alley  
20 Court Reporter/Notary Public  
21

22 My commission expires: July 17, 2022  
23  
24  
25

1 THE ORIGINAL DEPOSITION OF DR. JEFFREY BENJAMIN SHOULD  
2 INCLUDE THE FOLLOWING CORRECTIONS:  
3

4 Page Line Change from this To this  
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TO BE COMPLETED BY THE DEPONENT:

I, \_\_\_\_\_, have read the foregoing pages and have noted any stenographic errors of my testimony together with their respective corrections and the reasons therefore on the following Errata Sheet.

(SIGNATURE) \_\_\_\_\_

(DATE) \_\_\_\_\_

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TO BE COMPLETED BY THE NOTARY PUBLIC/ATTORNEY

I, \_\_\_\_\_, a Notary Public/Attorney, hereby acknowledge that the above-named deponent personally appeared before me and affixed his/her signature as his/her own true act and deed.

(SIGNATURE) \_\_\_\_\_

(DATE) \_\_\_\_\_

TITLE: Carson, et al. v Robert Hasson

DEPOSITION OF: Jeffrey Benjamin

DATE OF DEPOSITION: December 17, 2018

NOTICING PARTY: Sarah Forster, Esq.

REPORTER: Joanne P. Alley



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